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dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103,  
nor is this submission to be construed as a representation that a search has been made.

**CITED REFERENCES**

**U.S. Patent Documents**

<u>Document Number</u>	<u>Date</u>	<u>Name</u>	<u>Class</u>	<u>Filing Date If Appropriate</u>
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**Foreign Patent Documents**

<u>Document Number</u>	<u>Date</u>	<u>Country</u>	<u>Class</u>	<u>Translation Yes/No</u>
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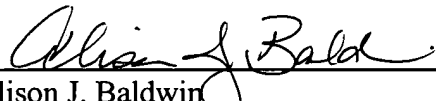
**Other Documents**

1. C.S. Piddington, et al., "*The cloning and sequencing of the genes encoding phytase (phy) and PH 2.5-optimum acid phosphatase (aph) from Aspergillus niger var. awamori*", GENE 07357, 133 55-62, 1993.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff**

Date: January 3, 2003

By:   
Alison J. Baldwin  
Registration No. 48,968



1806

PATENT

\$1652  
#29UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 97,253-A)

IN THE APPLICATION OF:

Barendse et al.

Serial No. 09/089,871

Filed: June 4, 1998

Title High-Activity Phytase Compositions

Examiner: Peter Tung

Group Art Unit: 1652

## TRANSMITTAL LETTER

RECEIVED

Commissioner for Patents  
Washington, D.C. 20231

JAN 15 2003

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:

- Supplemental Information Disclosure Statement;
- Form PTO-1449;
- Copy of IDS Citations 09/089,871 (1 reference);
- Return Receipt Postcard.

2. With respect to additional fees:

☒ Fee of \$180.00 is enclosed.3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490.  
A duplicate copy of this sheet is enclosed.4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this 3<sup>rd</sup> day of January, 2003.

By:

  
Alison J. Baldwin  
Reg. No. 48,968McDONNELL BOEHNEN,  
HULBERT & BERGHOFF  
300 SOUTH WACKER DRIVE  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 913-0001